

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA

v.

No. 07-4059 (L)

PAULETTE MARTIN, et al.

\* \* \* \* \*

**MOTION FOR LEAVE TO PROCEED  
UNDER LOCAL RULE 30 ( c)**

Comes now Appellant herein, Paulette Martin, by and through her counsel, Michael D. Montemarano, Esq., and Michael D. Montemarano, P.A., as appointed counsel pursuant to the CJA, and as lead appellate counsel for the five other Appellants herein, and does move for leave to proceed under Local Rule 30 ( c), and to defer the filing of the joint appendix in this matter, and in support thereof does state:

1. Within the past sixty days, new counsel, Daniel Goodman, Esq., United States Department of Justice, recently has entered his appearance for Appellee and requires time to assimilate this massive case.

2. A consent motion to extend the time for the filing of the Joint Brief has been filed contemporaneously herewith. In that the JA usually would be filed with the Joint Brief, this would require counsel for Appellee to be able to identify materials for inclusion from a voluminous record within a very brief time frame; trial in this matter lasted twelve weeks, and the transcript is 9700 pages in length. This would be at best unreasonable, and lead counsel for Appellants believes that impossible would be a more appropriate adjective.

3. Upon request by and with the consent of counsel for Appellee, lead counsel for Appellants is filing this *Motion*, so as to permit counsel for Appellee enough time to address the JA materials. Counsel for Appellant is prepared to file the Joint Brief twice, in page-proof format and in final format.

4. Counsel for Appellant therefore requests, pursuant to Local Rule 30 ( c), that Appellants be permitted to file a page proof brief, and to defer the filing of the joint appendix for an initial period of at least 60 days, so as to permit counsel for Appellee to ascertain the materials he will desire to add to the JA.

5. Counsel for Appellant is authorized to state that counsel for Appellee consents to the grant of the requested relief.

Respectfully submitted,

October 14, 2010

/s/  
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MICHAEL D. MONTEMARANO

Michael D. Montemarano, P.A.  
5695 Main Street, Suite 201  
Elkridge, Maryland 21075-5016  
(410) 379-0067/Fax 540-9950  
Counsel of Record/CJA Counsel  
For Appellant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on or before this 14<sup>th</sup> day of October, 2010, a copy of the foregoing *Motion For Leave to Proceed Under Local Rule 30 ( c)* was filed via CM-ECF, and served via direct email, on Daniel Greenberg, Esq., US Department of Justice, Criminal Appellate Section, 1264 Main Building, 950 Pennsylvania Avenue, NW, Washington, DC 20530.

/s/  
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MICHAEL D. MONTEMARANO